

ENFORCEMENT AND THE VIRGINIA MARINE PATROL



The Virginia Marine Patrol (VMP), a division of the Marine Resources Commission, is charged with enforcing saltwater fisheries regulations in Virginia waters. The VMP is the largest branch of the Commission, with more than 65 law enforcement officers and almost 80 full time employees.

An operations center maintains continuous radio dispatch, which links with officers stationed throughout the tidal areas of Virginia. Officers work on rotating shifts, providing for on the water enforcement coverage 24 hours per day.

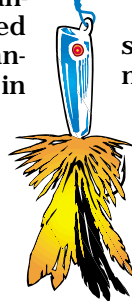
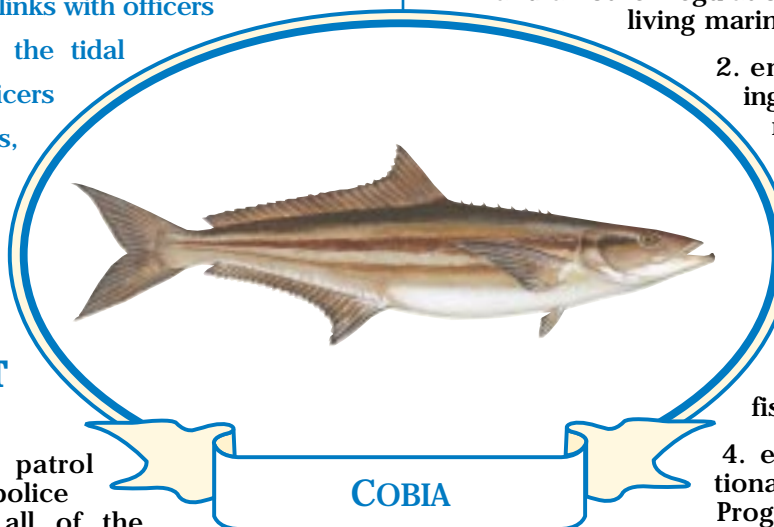
ENFORCEMENT ACTIVITIES

Although marine patrol officers have full police powers to enforce all of the criminal laws of the Commonwealth of Virginia, their mission targets enforcement of marine fishery and boating regulations.

The number and complexity of fishery management plans and regulations have increased substantially in recent years as fisheries managers attempt to halt the decline in abundance in many species of finfish and shellfish by managing their harvest. This has resulted in a dramatic increase in the number of summonses written for fishery violations.

The vast majority of the hours worked by the VMP is spent patrolling Virginia waters and the waterfront for marine fisheries violations. Fisheries enforcement activities generally fall into one of four distinct categories:

1. enforcement of fishery conservation laws and regulations applicable to commercial and recreational fishermen; these regulations include commercial quotas on harvest, minimum size limits, gear restrictions (such as net mesh size and crab pot cull ring requirements), closed seasons and areas, recreational possession limits, and all other regulations designed to protect living marine resources;
2. enforcement of licensing requirements for commercial and recreational fishermen;
3. enforcement of conservation regulations and licensing requirements for commercial buyers, processors and transporters of marine finfish and shellfish; and,
4. enforcement of the National Shellfish Sanitation Program and other state regulations relating to taking and transporting of marine resources from polluted areas.



Patrol time also is expended enforcing boating safety requirements and boating operation and navigation rules. This activity ranges from checking boat operators for the proper safety equipment, such as personal floatation devices, lights, and signaling equipment, to writing summonses for negligent operation and operation while under the influence of alcohol or drugs.

Search and rescue activities are a major responsibility of marine patrol officers.

Additionally, Virginia's marine patrol officers are deputy federal law enforcement officers with full authority in federal waters and relating to federal fisheries matters. This authority is derived from memoranda of understanding (MOUs) with National Marine Fisheries Service and the U.S. Fish & Wildlife Service.

The Lacey Act is a federal fisheries and wildlife enforcement law that significantly strengthens enforcement efforts involving the interstate transportation or commerce in illegally taken fish and wildlife. This act prohibits the importation, exportation, and interstate transportation, sale or purchase of fish or wildlife taken in violation of state, federal, Indian tribal or foreign laws. Violations of this act invoke stiff penalties, including the possibility of a felony conviction. The maximum penalty provided under the Lacey Act for a felony conviction is a five-year prison sentence and maximum fine of \$250,000 for an individual and \$500,000 for an organization. In addition, strict liability forfeiture of all fish or wildlife, vessels, vehicles, aircraft and other equipment used in violation of the Act is prescribed. Through its federal law enforcement authority, the Virginia Marine Patrol is actively pursuing Lacey Act violations and works closely with the U. S. Fish & Wildlife Service to enforce the provisions of this law.

SERVICE ACTIVITIES

When lives and property are in jeopardy on Virginia's tidal waters, the VMP is one of the first to respond. Search and rescue activities are a major responsibility of marine patrol officers.

Fortunately, most of the calls for assistance involve common problems, such as engine failure; but each year the VMP handles serious problems, including medical emergencies, boating accidents, and sinkings.

Two service activities have a direct relationship to the effectiveness of the enforcement activities of the VMP. First is the time marine patrol officers must spend in court testifying and prosecuting cases resulting from summonses written. Efficient and successful prosecution of violations is the only way to ensure good compliance with fishery management regulations. Second, is the time the marine patrol officers spend in public education and service. These activities range from appearances at local boating and fishing shows and events to manning a display at the Virginia State Fair. While these activities consume a small amount of time, they often produce significant rewards in garnering compliance with regulations, understanding of the mission and activities of the VMP, and gaining citizen assistance in reporting fishery violations or suspicious activity.



The need for assistance from anglers, boaters, commercial watermen, and other citizens in reporting fishery violations is essential for the protection of Virginia's marine resources. The VMP has approximately 65 officers to patrol Virginia's marine waters, which include 120 miles of ocean coastline, 300 miles of bayfront land, over 1300 miles of shoreline on the saltwater reaches of tidal rivers, and countless more miles of shoreline on the Eastern Shore seaside and along tidal creeks of the Eastern Shore bayside and the western shore tributary rivers. Estimates of the number of marine recreational fishermen range from 350,000 to 900,000, and approximately 3000 commercial fishermen operate in Virginia waters. Maintaining 24-hour-per-day coverage with officers working 8 hour shifts, requires each marine patrol officer cover a large area of water and monitor an enormous number of fishermen and boaters.

COOPERATIVE ENFORCEMENT EFFORTS

Fish are not constrained by the arbitrary political and jurisdictional boundaries which restrict the activities of law enforcement agencies. Marine fish move up and down the coast, and from inshore waters to offshore waters, often passing through the waters of several different political jurisdictions.

The VMP has a good working relationship with many law enforcement agencies, including those listed below:

The Virginia Department of Game & Inland Fisheries, which has primary jurisdiction over freshwater fishing activities. But, as marine fish cross the arbitrary boundary across the tributary rivers to the Chesapeake Bay, they enter "freshwater", and cooperative enforcement efforts are necessary.



The U. S. Coast Guard, which enforces fisheries regulations in federal waters. Many fish species migrate inshore and offshore seasonally, which makes joint enforcement efforts extremely productive.

The National Marine Fisheries Service, which also has enforcement agents for federal waters.

The U. S. Fish & Wildlife Service, which has enforcement agents working with anadromous fish (e.g. striped bass) and Lacey Act violations (transportation of protected wildlife across state lines).

Local Enforcement Agencies, such as local police and sheriff departments in localities near marine waters. They patrol marine waters within their jurisdiction and can provide considerable help to the VMP.

Cooperative enforcement efforts bolster the capabilities of all law enforcement agencies involved and provide much broader enforcement coverage for marine fisheries laws and regulations.

VIRGINIA MARINE PATROL

DIRECTORY OF MARINE RESOURCES COMMISSION OFFICES

Main Office:

Virginia Marine Resources Commission
2600 Washington Avenue
Newport News, VA 23607-0756
(757) 247-2200

Law Enforcement Operations Center:

Virginia Marine Resources Commission
Operations Center
30 Jefferson Avenue
Newport News, VA 23607
(757) 247-2265

Eastern Shore Law Enforcement Office:

Virginia Marine Resource Commission
Onley Law Enforcement Office
P. O. Box 569
Onley, VA 23418
(757) 787-5829

Middle Area Law Enforcement Office:

Virginia Marine Resources
Commission
Gloucester Law Enforcement Office
Tidemill Professional Center
Gloucester Point, VA 23062
(804) 642-2640

Northern Area Law Enforcement Office:

Virginia Marine Resources Commission
Heathsville Law Enforcement Office
P.O. Box 117
Heathsville, VA 22473
(804) 580-2901

VIOLATIONS "HOTLINE"

The Virginia Marine Patrol maintains a 24 hour toll-free hotline number for reporting violations of fisheries regulations: 1-800-541-4646.

DIRECTORY OF ENFORCEMENT AGENCIES

U. S. Fish & Wildlife Service
Office of Law Enforcement
5721 S. Laburnum Ave.
Richmond, VA 23231
(804) 771-2883

Virginia Department of Game &
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Office of Law Enforcement
4010 W. Broad Street
Richmond, VA 23230
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